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JW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: YAMAGATA ET AL. Examiner: Z. SMITH  
10/037,866 Group Art Unit: 2877  
Filed: OCTOBER 24, 2001 Docket: 10873.326USD1  
Confirmation No.: 5239  
Due Date: JUNE 18, 2004  
Title: DEVICE FOR CALCULATING DIFFRACTION EFFICIENCIES OF A DIFFRACTION LENS,  
LENS WITH GRAFTING ELEMENT, AND OPTICAL SYSTEM FOR READING

**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 28, 2004.

June 4

By: *Kristine A. Wack*  
Name: *Kristine A. Wack*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**  
PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- Transmittal Sheet in duplicate containing Certificate of Mailing
- Response to Restriction Requirement
- Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By: *DPM*  
Name: Douglas P. Mueller  
Reg. No.: 30,300  
DMueller:PLSkaw



IN 10/037,866

PATENT

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Applicant: YAMAGATA ET AL. Examiner: Z. SMITH  
Serial No.: 10/037,866 Group Art Unit: 2877  
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By: *Kristine A. Wacek*  
Name: *Kristine A. Wacek*

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

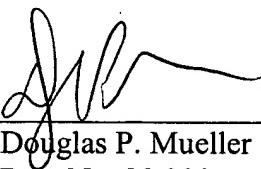
Dear Sir:

This is in response to the Restriction Requirement dated May 18, 2004. It appears that the restriction requirement failed to recognize the cancellation of claims 13, 14, 30, 31, 34 and 47-79 when this divisional application was filed. See item 2 on page 2 of the transmittal for the application. Therefore, only claims in Group I are pending, and the restriction requirement is moot. Applicants courteously request an early and favorable action on the pending claims.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: Jun 4, 2004

  
Douglas P. Mueller  
Reg. No. 30,300  
DPM:PLSkaw